UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,182	02/03/2004	Hank Risan	MRT-022	4668

70407   7590   04/08/2010
MEDIA RIGHTS TECHNOLOGIES C/O WAGNER BLECHER LLP
123 WESTRIDGE DRIVE
WATSONVILLE, CA 95076

EXAMINER
HOLDER, BRADLEY W

ART UNIT	PAPER NUMBER
2439	

MAIL DATE	DELIVERY MODE
04/08/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _24 February 2010_.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-23_ is/are pending in the application.
  4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-23_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on _24 February 2010_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.
  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  a)☐ All b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO/SB/08)
  Paper No(s)/Mail Date _02/24/2010_.
4)☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

This is in response to applicant's amendment filed on February 24, 2010 to Application

10/772182 filed on February 3, 2004 in which claims 1-23 are pending, Claims 2-4, 6,

10-12, 14, 20, and 22 are amended.

Status of Claims

Claims 1-23 are pending, of which Claims 1-23 are rejected under 35 U.S.C. 102(e).

Claim Construction

All "means for" elements in Claims 17-19, 21, 23 are construed under 35 U.S.C.

112, sixth paragraph.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 9-23 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter.

Regarding Claim 9, a "computer readable medium for storing computer

implementable instructions" storing computer program code that performs various

functions is recited. The claim fails to identify the computer readable medium as a "*non-*

transitory" computer readable "*storage*" medium. In addition, as a signal stores

information as it propagates, applicant's specification fails to exclude signals as a form

of medium. As a result, the computer-readable medium in the claims can be interpreted

as including various types of transmission media including signals or carrier waves

which are not a "process," a "machine," a "manufacture" or a "composition of matter," as

defined in 35 U.S.C. 101, therefore the claim is not statutory.

Regarding Claims 10-16, they are dependent claims dependent on Claim 9 which

have inherited the deficiencies of the parent claim and have not resolved the

deficiencies. Therefore, they are rejected based on the same rationale as applied to the

parent claim 9 above.

Regarding Claim 17, a system for providing a media change notification on a

computing system is described comprising "a means for polling", "a means for

detecting", "a means for generating", and "a means for outputting", all implemented in

software configured to cause the actions described in Claim 17. In addition, the

Specification expressly states that "Within the present embodiment, it should be

appreciated that the steps of flowchart 700 may be performed by software, by hardware

or by any combination of software and hardware." (See Specification - Page 59 Lines

15-17) and "Within the present embodiment, it should be appreciated that the steps of

flowchart 1600 may be performed by software, by firmware, by hardware or by any

combination thereof" (See Specification - Page 118 Lines 19-21).

Accordingly, the recited "*system*" is nothing more than software *per se* and is not

a "process," a "machine," a "manufacture" or a "composition of matter," as defined in 35

U.S.C. 101.

Regarding Claims 18-23, they are dependent claims dependent on Claim 17

which have inherited the deficiencies of the parent claim and have not resolved the

deficiencies. Therefore, they are rejected based on the same rationale as applied to the

parent claim 17 above.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by

Huffman et al. US Patent Application No. 2005/0086397.

Regarding Claim 1, Huffman et al. discloses:

A method for providing a media change notification [see (Huffman et al.

Paragraph 17 Lines 1-4; Paragraph 18 Lines 1-2; Figure 2)] *on a computing system*

comprising: polling a media device of a computing system for a media change wherein

said polling of said media device cannot be blocked by said computing system; [see

(Huffman et al. Paragraph 15 Lines 10-15; Paragraph 17 Lines 1-4; Paragraph 18 Lines

1-2; Paragraph 28 Lines 6-7) where Huffman et al. teaches that the polling of the media

device for a media change utilizes Direct Memory Access on the host bus with interrupt

notification that cannot be blocked]

detecting a media change on said media device; [see (Huffman et al. Paragraph

17 Lines 1-4) where Huffman et al. teaches the detection of a change of the media]

generating a media change notification when said media change is detected;

[see (Huffman et al. Paragraph 17 Lines 1-4; Paragraph 18 Lines 1-2) where Huffman et

al. teaches the creation and transmission of a message indicating that a media change

has occurred]

and outputting said media change notification when said media change on said

media device is detected wherein said media change notification cannot be blocked by

said computing system. [see (Huffman et al. Paragraph 15 Lines 10-15; Paragraph 17

Lines 1-4; Paragraph 18 Lines 1-2; Paragraph 28 Lines 6-7) where Huffman et al.

teaches outputting or transmission of a message indicating that a media change has

occurred where the media change notification utilizes Direct Memory Access on the

host bus with interrupt notification that cannot be blocked]

Regarding Claim 2, Huffman et al. discloses:

The method as recited in claim 1 wherein said media change notification is performed by a kernel level component [see (Huffman et al. Paragraph 15 Lines 10-11; Paragraph 17 Lines 1-4; Paragraph 18 Lines 1-2; Paragraph 28 Lines 6-7) where Huffman et al. teaches that the media change notification polling and response utilizes Direct Memory Access on the host bus with interrupt notification which requires the use of a kernel level component of the Operating System]

Regarding Claim 3, Huffman et al. discloses:

The method as recited in claim 1 wherein said media change notification is performed by a user level component. [see (Huffman et al. Paragraph 27 Lines 1-11) where Huffman et al. teaches that the media change notification utilizes interaction with the user and as a result requires the use of a user level component of the Operating System]

Regarding Claim 4, Huffman et al. discloses:

The method as recited in claim 1 wherein said media change notification is performed by modifying a media-polling component of an operating system [see (Huffman et al. Paragraph 35 Lines 8-17) where Huffman et al. teaches that the media-polling component of the Operating System needs modification in order to support asynchronous media change notification]

Regarding Claim 5, Huffman et al. discloses:

The method as recited in claim 4 wherein said modifying of said media polling component in said operating system comprises: utilizing said media polling component to poll each said media device coupled with said computing system for content regardless of any input to said media polling component by said computing system. [see (Huffman et al. Paragraph 15 Lines 10-11; Paragraph 17 Lines 1-4; Paragraph 28 Lines 6-7; Paragraph 35 Lines 8-17; Paragraph 39 Lines 1-8) where Huffman et al. teaches the modified media polling component of the operating system polls each or multiple media devices in the computing system and receives notification via an interrupt regardless of inputs to the media polling component]

Regarding Claim 6, Huffman et al. discloses:

The method as recited in claim 1 wherein said media change notification is performed by a second component operating parallel to a first component in an operating system. [see (Huffman et al. Paragraph 35 Lines 1-10; Figure 6) where Huffman et al. teaches a first component of a synchronous poll and a second component of a asynchronous poll or message operating in parallel to provide the media change or status notification]

Regarding Claim 7, Huffman et al. discloses:

The method as recited in claim 6 wherein said first component in said operating system polls said media device for content and can be disabled by said computing system [see (Huffman et al. Paragraph 35 Lines 1-10; Figure 6) where Huffman et al.

teaches a first component of a synchronous poll to provide the media content or status

notification that can be disabled by the computing system],

and said second component operating parallel to said first component in said

operating system polls said media device for content and cannot be disabled by said

computing system. [see (Huffman et al. Paragraph 35 Lines 1-10; Figure 6) where

Huffman et al. teaches a second component of a asynchronous poll or message

operating in parallel to provide the media content or status notification that cannot be

disabled by the computing system]

Regarding Claim 8, Huffman et al. discloses:

The method as recited in claim 1 wherein said media change is an introduction of

media to said media device of said computing system. [see (Huffman et al. Paragraph

17 Lines 1-4) where Huffman et al. teaches that the media change is an introduction or

insertion of a tape cartridge into the media or storage device]

Regarding Claim 9, Huffman et al. discloses:

A computer readable medium for storing computer implementable instructions,

said instructions for causing a client system to perform a method for providing a media

change notification [see (Huffman et al. Paragraph 17 Lines 1-4; Paragraph 18 Lines 1-

2; Figure 2)] *on a computing system comprising: polling a media device for a media*

change wherein said polling of said media device cannot be obstructed; [see (Huffman

et al. Paragraph 15 Lines 10-15; Paragraph 17 Lines 1-4; Paragraph 18 Lines 1-2;

Paragraph 28 Lines 6-7) where Huffman et al. teaches that the polling of the media

device for a media change utilizes Direct Memory Access on the host bus with interrupt

notification that cannot be obstructed]

detecting a media change on said media device; [see (Huffman et al. Paragraph

17 Lines 1-4) where Huffman et al. teaches the detection of a change of the media]

generating a media change notification when said media change is detected;

[see (Huffman et al. Paragraph 17 Lines 1-4; Paragraph 18 Lines 1-2) where Huffman et

al. teaches the creation and transmission of a message indicating that a media change

has occurred]

and outputting said media change notification when said media change on said

media device is detected wherein said media change notification cannot be obstructed.

[see (Huffman et al. Paragraph 15 Lines 10-15; Paragraph 17 Lines 1-4; Paragraph 18

Lines 1-2; Paragraph 28 Lines 6-7) where Huffman et al. teaches outputting or

transmission of a message indicating that a media change has occurred where the

media change notification utilizes Direct Memory Access on the host bus with interrupt

notification that cannot be obstructed]

Regarding Claim 10, Huffman et al. discloses:

The computer readable medium of claim 9 wherein said media change

notification is performed by a kernel level component. [see (Huffman et al. Paragraph 15

Lines 10-11; Paragraph 17 Lines 1-4; Paragraph 18 Lines 1-2; Paragraph 28 Lines 6-7)

where Huffman et al. teaches that the media change notification polling and response

utilizes Direct Memory Access on the host bus with interrupt notification which requires

the use of a kernel level component of the Operating System]

Regarding Claim 11, Huffman et al. discloses:

The computer readable medium of claim 9 wherein said media change

notification is performed by a user level component. [see (Huffman et al. Paragraph 27

Lines 1-11) where Huffman et al. teaches that the media change notification utilizes

interaction with the user and as a result requires the use of a user level component of

the Operating System]

Regarding Claim 12, Huffman et al. discloses:

The computer readable medium of claim 9 wherein said media change

notification is performed by modifying a media polling component of an operating

system. [see (Huffman et al. Paragraph 35 Lines 8-17) where Huffman et al. teaches

that the media-polling component of the Operating System needs modification in order

to support asynchronous media change notification]

Regarding Claim 13, Huffman et al. discloses:

The computer readable medium of claim 12 wherein said modifying of said media

polling component in said operating system comprises: utilizing said media polling

component to poll each said media device coupled with said computing system for

content regardless of any input to said media polling component by said computing

system. [see (Huffman et al. Paragraph 15 Lines 10-11; Paragraph 17 Lines 1-4;

Paragraph 28 Lines 6-7; Paragraph 35 Lines 8-17; Paragraph 39 Lines 1-8) where

Huffman et al. teaches the modified media polling component of the operating system

polls each or multiple media devices in the computing system and receives notification

via an interrupt regardless of inputs to the media polling component]

Regarding Claim 14, Huffman et al. discloses:

The computer readable medium of claim 9 wherein said media change

notification is performed by a second component operating parallel to a first component

in an operating system. [see (Huffman et al. Paragraph 35 Lines 1-10; Figure 6) where

Huffman et al. teaches a first component of a synchronous poll and a second

component of a asynchronous poll or message operating in parallel to provide the

media change or status notification]

Regarding Claim 15, Huffman et al. discloses:

The computer readable medium of claim 14 wherein said first component in said

operating system polls said media device for content and can be disabled by said

computing system, [see (Huffman et al. Paragraph 35 Lines 1-10; Figure 6) where

Huffman et al. teaches a first component of a synchronous poll to provide the media

content or status notification that can be disabled by the computing system]

and said second component operating parallel to said first component in said

operating system polls said media device for content and cannot be disabled by said

computing system. [see (Huffman et al. Paragraph 35 Lines 1-10; Figure 6) where

Huffman et al. teaches a second component of a asynchronous poll or message

operating in parallel to provide the media content or status notification that cannot be

disabled by the computing system]

    Regarding Claim 16, Huffman et al. discloses:

The computer readable medium of claim 9 wherein said media change is an

introduction of media to said media device of said computing system. [see (Huffman et

al. Paragraph 17 Lines 1-4) where Huffman et al. teaches that the media change is an

introduction or insertion of a tape cartridge into the media or storage device]

    Regarding Claim 17, Huffman et al. discloses:

A system for providing a media change notification [see (Huffman et al.

Paragraph 17 Lines 1-4; Paragraph 18 Lines 1-2; Figure 2)] *on a computing system*

comprising: means for polling a media device of a computing system for a media

change wherein said polling of said media device cannot be blocked by said computing

system; [see (Huffman et al. Paragraph 15 Lines 10-15; Paragraph 17 Lines 1-4;

Paragraph 18 Lines 1-2; Paragraph 28 Lines 6-7) where Huffman et al. teaches that the

polling of the media device for a media change utilizes Direct Memory Access on the

host bus with interrupt notification that cannot be blocked]

means for detecting a media change on said media device; [see (Huffman et al.

Paragraph 17 Lines 1-4) where Huffman et al. teaches the detection of a change of the

media]

means for generating a media change notification when said media change is

detected; [see (Huffman et al. Paragraph 17 Lines 1-4; Paragraph 18 Lines 1-2) where

Huffman et al. teaches the creation and transmission of a message indicating that a

media change has occurred]

and means for outputting said media change notification when said media

change on said media device is detected wherein said media change notification cannot

be blocked by said computing system. [see (Huffman et al. Paragraph 15 Lines 10-15;

Paragraph 17 Lines 1-4; Paragraph 18 Lines 1-2; Paragraph 28 Lines 6-7) where

Huffman et al. teaches outputting or transmission of a message indicating that a media

change has occurred where the media change notification utilizes Direct Memory

Access on the host bus with interrupt notification that cannot be blocked]

Regarding Claim 18, Huffman et al. discloses:

The system as recited in claim 17 wherein said means for polling said media

devices is at a kernel level. [see (Huffman et al. Paragraph 15 Lines 10-11; Paragraph

17 Lines 1-4; Paragraph 18 Lines 1-2; Paragraph 28 Lines 6-7) where Huffman et al.

teaches that the media change notification polling and response utilizes Direct Memory

Access on the host bus with interrupt notification which requires the use of a kernel level

component of the Operating System]

Regarding Claim 19, Huffman et al. discloses:

The system as recited in claim 17 wherein said means for polling said media

devices is at a user level. [see (Huffman et al. Paragraph 27 Lines 1-11) where Huffman

et al. teaches that the media change notification utilizes interaction with the user and as

a result requires the use of a user level component of the Operating System]

Regarding Claim 20, Huffman et al. discloses:

The system as recited in claim 17 wherein said media change notification is

performed by modifying a media-polling component in an operating system. [see

(Huffman et al. Paragraph 35 Lines 8-17) where Huffman et al. teaches that the media-

polling component of the Operating System needs modification in order to support

asynchronous media change notification]

Regarding Claim 21, Huffman et al. discloses:

The system as recited in claim 20 wherein said modifying of said media polling

component in said operating system comprises: means for utilizing said media polling

component to poll each said media device on said computing system for content

regardless of any input to said media polling component by said computing system. [see

(Huffman et al. Paragraph 15 Lines 10-11; Paragraph 17 Lines 1-4; Paragraph 28 Lines

6-7; Paragraph 35 Lines 8-17; Paragraph 39 Lines 1-8) where Huffman et al. teaches

the modified media polling component of the operating system polls each or multiple

media devices in the computing system and receives notification via an interrupt

regardless of inputs to the media polling component]

Regarding Claim 22, Huffman et al. discloses:

The system as recited in claim 17 wherein said media change notification is

performed by a second component operating parallel to a first component in an

operating system. [see (Huffman et al. Paragraph 35 Lines 1-10; Figure 6) where

Huffman et al. teaches a first component of a synchronous poll and a second

component of a asynchronous poll or message operating in parallel to provide the

media change or status notification]

Regarding Claim 23, Huffman et al. discloses:

The system as recited in claim 22 wherein said first component in said operating

system has a means for polling said media device for content and can be disabled by

said computing system, [see (Huffman et al. Paragraph 35 Lines 1-10; Figure 6) where

Huffman et al. teaches a first component of a synchronous poll to provide the media

content or status notification that can be disabled by the computing system]

and said second component operating parallel to said first component in said

operating system has a means for polling said media device for content and cannot be

disabled by said computing system. [see (Huffman et al. Paragraph 35 Lines 1-10;

Figure 6) where Huffman et al. teaches a second component of a asynchronous poll or

message operating in parallel to provide the media content or status notification that

cannot be disabled by the computing system]

Response to Arguments

Applicant's arguments filed February 24, 2010 have been fully considered but are

not fully persuasive.

On page 7 of the Applicant's Response, applicants submit that they have

overcome the objection to the specification that the disclosure is objected to because a

description of Figure 6a in the "Brief Description Of The Drawings" section is missing by

amending the drawings.

The examiner agrees, and withdraws the objection to the specification that the

disclosure is objected to because a description of Figure 6a in the "Brief Description Of

The Drawings" section is missing

On page 7 of the Applicant's Response, applicants submit that they have

overcome the objection to the drawings that Figure 6, which is referenced in multiple

locations in the specification, is missing by amending the drawings.

The examiner agrees, and withdraws the objection to the drawings that Figure 6,

which is referenced in multiple locations in the specification, is missing.

On page 7 of the Applicant's Response, applicants submit that they have overcome the objection to Claims 2-4, 6, 10-12, 14, 20, and 22 for lack of antecedent basis by amending Claims 2-4, 6, 10-12, 14, 20, and 22.

The examiner agrees, and withdraws the objection to Claims 2-4, 6, 10-12, 14, 20, and 22 for lack of antecedent basis.

On pages 7-8 of the Applicant's Response, applicants argue the 35 U.S.C. 101 rejection of Claims 9-16 that the recited "computer readable medium for storing computer implementable instructions" in Claim 9 is not a "process," a "machine," a "manufacture" or a "composition of matter," as defined in 35 U.S.C. 101, and therefore the claim is not statutory.

The examiner respectfully disagrees with Applicant's arguments because the claim fails to identify the computer readable medium as a *"non-transitory"* computer readable *"storage"* medium. In addition, as a signal stores information as it propagates, applicant's specification fails to exclude signals as a form of medium. As a result, the computer-readable medium in the claims can be interpreted as including various types of transmission media including signals or carrier waves which are not a "process," a "machine," a "manufacture" or a "composition of matter," as defined in 35 U.S.C. 101, therefore the claim is not statutory.

Therefore, in view of the above reasons, Examiner maintains the 35 U.S.C. 101 rejections on Claim 9 and its dependent claims 10-16.

On pages 7-9 of the Applicant's Response, applicants argue the 35 U.S.C. 101 rejection of Claims 17-23 that the system for providing a media change notification on a computing system in Claim 17 is not a "process," a "machine," a "manufacture" or a "composition of matter," as defined in 35 U.S.C. 101, and therefore the claim is not statutory.

The examiner respectfully disagrees with Applicant's arguments because the system for providing a media change notification on a computing system is described comprising "a means for polling", "a means for detecting", "a means for generating", and "a means for outputting", all implemented in software configured to cause the actions described in Claim 17. In addition, the Specification expressly states that "Within the present embodiment, it should be appreciated that the steps of flowchart 700 may be performed by software, by hardware or by any combination of software and hardware." (See Specification - Page 59 Lines 15-17) and "Within the present embodiment, it should be appreciated that the steps of flowchart 1600 may be performed by software, by firmware, by hardware or by any combination thereof" (See Specification - Page 118 Lines 19-21). As a result, the recited "*system*" is nothing more than software *per se* and is not a "process," a "machine," a "manufacture" or a "composition of matter," as defined in 35 U.S.C. 101., therefore the claim is not statutory.

Therefore, in view of the above reasons, Examiner maintains the 35 U.S.C. 101 rejections on Claim 17 and its dependent claims 18-23

On Pages 10-14 of the Applicant's Response, applicants argue that Huffman et

al. does not teach the limitation of "A method for providing a media change notification

on a computing system comprising: polling a media device of a computing system for a

media change wherein said polling of said media device cannot be blocked by said

computing system" as recited in Claim 1 and similarly in Claims 9 and 17.

The examiner respectfully disagrees with Applicant's arguments because

Huffman et al. teaches a method for providing a media change notification on a

computing system in which the polling of the media device for a media change utilizes

Direct Memory Access on the host bus with interrupt notification that cannot be blocked.

[see (Huffman et al. Paragraph 17 Lines 1-4; Paragraph 18 Lines 1-2; Figure 2;

Paragraph 15 Lines 10-15; Paragraph 17 Lines 1-4; Paragraph 18 Lines 1-2; Paragraph

28 Lines 6-7)]

On Pages 10-14 of the Applicant's Response, applicants argue that Huffman et

al. does not teach the limitation of "detecting a media change on said media device;" as

recited in Claim 1 and similarly in Claims 9 and 17.

The examiner respectfully disagrees with Applicant's arguments because

Huffman et al. teaches the detection of a change of the media. [see (Huffman et al.

Paragraph 17 Lines 1-4)]

On Pages 10-14 of the Applicant's Response, applicants argue that Huffman et al. does not teach the limitation of "generating a media change notification when said media change is detected " as recited in Claim 1 and similarly in Claims 9 and 17.

The examiner respectfully disagrees with Applicant's arguments because Huffman et al. teaches the creation and transmission of a message indicating that a media change has occurred. [see (Huffman et al. Paragraph 17 Lines 1-4; Paragraph 18 Lines 1-2)]

On Pages 10-14 of the Applicant's Response, applicants argue that Huffman et al. does not teach the limitation of "and outputting said media change notification when said media change on said media device is detected wherein said media change notification cannot be blocked by said computing system " as recited in Claim 1 and similarly in Claims 9 and 17.

The examiner respectfully disagrees with Applicant's arguments because Huffman et al. teaches outputting or transmission of a message indicating that a media change has occurred where the media change notification utilizes Direct Memory Access on the host bus with interrupt notification that cannot be blocked. [see (Huffman et al. Paragraph 15 Lines 10-15; Paragraph 17 Lines 1-4; Paragraph 18 Lines 1-2; Paragraph 28 Lines 6-7)]

Therefore, in view of the above reasons, Examiner maintains the 35 U.S.C.

102(e) rejections on Claim 1 and similarly on Claims 9 and 17.

On Page 14 of the Applicant's Response, applicants argue that since Claims 2-8

depend on Claim 1, the 102(e) rejections on Claims 2-8 should be withdrawn.

The examiner respectfully disagrees with Applicant's arguments because since

the 102(e) rejection on Claim 1 is maintained, the 102(e) rejections on dependent

Claims 2-8 are also maintained.

On Page 14 of the Applicant's Response, applicants argue that since Claims 10-

16 depend on Claim 9, the 102(e) rejections on Claims 10-16 should be withdrawn.

The examiner respectfully disagrees with Applicant's arguments because since

the 102(e) rejection on Claim 9 is maintained, the 102(e) rejections on dependent

Claims 10-16 are also maintained.

On Page 14 of the Applicant's Response, applicants argue that since Claims 18-

23 depend on Claim 17, the 102(e) rejections on Claims 18-23 should be withdrawn.

The examiner respectfully disagrees with Applicant's arguments because since

the 102(e) rejection on Claim 17 is maintained, the 102(e) rejections on dependent

Claims 18-23 are also maintained.

Therefore, in view of the above reasons, Examiner maintains the 35 U.S.C. 102(e) rejections on Claims 1-23.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRADLEY HOLDER whose telephone number is 571-270-3789. The examiner can normally be reached on Monday-Thursday 8:00AM-5:00PM EST; off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Edan Orgad can be reached on 571-272-7884. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/B. H./
Examiner, Art Unit 2439

/Edan Orgad/

Supervisory Patent Examiner, Art Unit 2439